

A supplement to an ordinance entitled, "An ordinance for ascertaining the mode of disposing of lands in the Western Territory["]

A SUPPLEMENT to an **ORDINANCE** entitled, "**An ORDINANCE** for ascertaining the mode of Disposing of **LANDS** in the **WESTERN TERRITORY**."

WHEREAS it appears inconvenient to pursue the mode prescribed in the Land Ordinance passed the twentieth day of May, in the year one thousand seven hundred and eighty-five, for disposing of the Land therein directed to be surveyed, by allotting certain proportions thereof to the Several States, to be Sold by the Loan-Officers in each State.—And whereas a sufficient quantity of Land hath been appropriated for the bounties to the late Continental Army, since passing the abovementioned Ordinance, as to render any further draughts for that purpose out of the Townships already surveyed unnecessary, Therefore,

Be it ordained by the United States in Congress assembled, That so much of the said Ordinance passed the twentieth day of May, in the year one thousand seven hundred and eighty-five, as ordains certain parts of the Townships therein directed to be surveyed to be drawn for in the name of the the Thirteen States respectively, according to the quotas in the last preceding requisition on all the States, in order that the same might be Sold by the Loan-Officers in said States:—And also, that part of the said Ordinance which directs that the Secretary at War shall take by lot, from the Township, when surveyed, a number of Townships and fractional parts of Townships, for the use of the late Continental Army, so far as the same respects future draughts for that purpose, shall be, and the same are hereby repealed.

And be it further ordained, That the Board of Treasury proceed to the Sale of the three last ranges of Townships surveyed in the Western Territory, in the same manner, and

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upon the same conditions, and under the same restrictions and limitations prescribed in the Resolutions of Congress of the twenty-first of April last, (except as to the place of Sale and daily continuance thereof) including in such Sales the parts thereof, which, by the Ordinance of the twentieth of May, one thousand seven hundred and eighty-five, were directed to be drawn for the late Army.—And also, that the Board of Treasury proceed to sell such parts of the first four ranges of Townships as they were directed to sell by the Resolutions of the twenty-first of April last, which remain unsold;—That the said Board be authorised to commence the Sale of the Lands above-directed to be Sold, either at New-York or Philadelphia; and may adjourn such Sales from time to time to any part or parts of the United States which they shall judge most proper for the purpose, until the whole be Sold.

That all Grants or Sales which have been, or may be made by the said Board, agreeably to any Resolution or order of Congress already, or which hereafter may be passed, shall be good and valid, and fully entitle the purchaser or purchasers to all the right of the United States in and to the premises granted.

That the Secretary at War issue warrants for bounties of Land to each of the Officers and Soldiers of the late Continental Army who may be entitled to such bounties, or their respective Assigns or legal representatives, certifying therein the Regiment, Corps, or Company to which such Officer or Soldier belonged, with the time of his service, and when discharged, together with the quantity of Land they may respectively be entitled to by former acts of Congress; with an additional quantity of acres to each Colonel and Lieutenant Colonel; acres to each Major; acres to each Captain, and acres to each non-commissioned Officer and Soldier, as a compensation for their expences in locating the same.

That the Geographer, by warrant under his hand and seal, appoint one Surveyor to each of the two Tracts or Districts of Land reserved and set apart for the purpose of satisfying the military bounties due to the late Army by the Act of Congress of the twenty-second of

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October last; which Surveyor shall reside at or as near to the District for which they may be respectively appointed, as can be done with safety, who, upon application for that purpose from any person holding a Land warrant issued as abovementioned, shall, at the expence of the applicant first paid or secured, run out and ascertain, in the District for which he is appointed, the exact quantity of Land mentioned in such warrant, the lines of which shall run East and West, North and South, except at the extremity of the District where the same may bind upon a river; the first survey so to be laid out in each District, to be laid in one corner thereof, and every succeeding survey to be laid adjoining the last survey in such District, in such a manner that no interstices shall be left between surveys, always observing as much regularity in laying each survey compact, as the preceding surveys will admit of.—That each Surveyor upon laying out any Tract, shall protract and lay the same down on a general Map to be kept and preserved, and shall number each Lot in the order they are surveyed, which shall also be in the order warrants are presented for laying out.—That each Surveyor, upon the location of each warrant, shall make out and deliver to the proprietor thereof, a survey of the Land laid out, with a description of the lines and boundaries thereof, certified under his hand, first recording the same in a book to be kept for that purpose; and shall retain in his hands all warrants by him laid out and located, until he can transmit the same to the Board of Treasury, which he shall do within one year after laying out the Land, certifying thereon, under his hand, that the same is satisfied.

Supplement to the Land Ordinance No. 1. on July 9 1788

That the Surveyors to be appointed as herein before directed, shall be entitled to receive for the services enjoined them by this Ordinance, so much only as shall be allowed and fixed by the Governor and Judges of the Western Territory, and shall be liable to be displaced by the Geographer for neglect of duty or other misbehavior; in which case he shall supply any vacancy so happening by a new appointment.

That each Surveyor who may be appointed under this Ordinance, before he enters upon the duties of his office, shall take an oath or affirmation, that he will justly and truly

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execute the trust reposed in him as surveyor of a District of Land in the Western Territory, according to the best of his skill and understanding, without favor or partiality.—Which oath or affirmation shall be taken before the Governor or either of the Judges of the Western Territory, or one of the Justices of the Supreme Court in either of the United States, and being duly attested, shall be transmitted to the Secretary of Congress, to be by him filed of record.

That the Maps and Records before-mentioned, shall at all times be subject to the orders of Congress, to be removed or deposited wherever they shall direct.

That if any Officer or Soldier, or Assignee or Grantee of either, shall desire to have their bounty of Land allotted in the Townships or fractional parts thereof, lately drawn for the Army by the Secretary at War, out of the first four ranges of Townships surveyed West of the Ohio, and shall cause such his desire in writing, together with his Land warrant, to be deposited in the office of the Secretary at War, the said Secretary, whenever warrants sufficient to cover the Land so drawn shall be deposited in his office for that purpose, shall cause the said Land to be divided among such applicants by lot, according to their respective rights, for which surveys shall be made out and delivered to the several proprietors, signed by the Geographer of the United States, which surveys shall be recorded in a book by the Geographer, and lodged in the Treasury Office.

And whereas several of the Soldiers of the late Continental Army have disposed of their bounties in Land without any formal conveyance, or any kind of transfer, other than delivering their discharges to the purchasers, Therefore,

Be it further ordained, That all legal discharges to the non-commissioned Officers and Soldiers, when produced to the Secretary at War, and also any conveyance duly proved, from an Officer or Soldier for bounties of Land, which shall be first produced to the said Secretary, shall, in either case, entitle the possessor of such discharge, or Grantee in such conveyance, to receive a warrant in his own name for the Land due to the Officer or

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Soldier selling or transferring the same;—saving however, to all Soldiers their just rights to Land which may be located upon warrants granted upon discharges produced, where a fraud in obtaining such discharge shall be proved.

And whereas the State of Virginia, in their Deed of Cession to the United States, reserved such a quantity of Land on the North-West side of the Ohio, between the Rivers Little Miami and Scioto, as would make up the deficiency of certain Lands on the South-East side of the Ohio, to satisfy their grants to their Officers and Soldiers, which deficiency hath not been ascertained to Congress, or any returns received from that State of the amount of the Land located as bounties to their Troops, on the South-East side of the Ohio, or of the quantity of Land appropriated in the State for that purpose:—In order therefore, that such deficiency, when ascertained, may be made good to the persons entitled thereto, agreeably to the terms of the Cession;—Be it further ordained, That the following tract of Land be reserved to make good such deficiency, when the same shall be ascertained—beginning at the mouth of the River Scioto, and running up the same the distance of twenty-five miles, measured on a strait line; thence West to the River Little Miami; thence down the said Miami to the Ohio; thence up the Ohio to the beginning.—That until the amount of the deficiency, if any, mentioned in the aforesaid Deed of Cession shall be ascertained, no locations whatever for that purpose, or on account thereof, shall be made by any of the Officers or Soldiers of the Virginia Troops, on the North-West side of the Ohio;—And all locations which have been or may be made under the Virginia Grants to their Troops, North-West of the Ohio, before such ascertainment, and until it shall appear there will be a deficiency in the Land assigned for their Troops on the South-East side of the Ohio, shall be and are hereby declared null and void.

That the Board of Treasury be authorised to sell and convey the whole or any part of the Lands between the Rivers Little Miami and Scioto, lying North of the above reserved tract:—Provided they sell no part thereof in parcels less than acres each.—That such Sales shall be for given quantities of unlocated Lands within the above limits, and shall be laid out and located at the expence of the purchasers, by a Surveyor to be appointed

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by the Geographer of the United States, who is hereby authorised and directed to make such appointment in the manner before directed for the appointment of Surveyors to locate warrants to be granted to the Army; which Surveyor, when appointed, shall take the same oath or affirmation—be subject to the like rules, orders and restrictions, and in all respects transact the business for which he shall be appointed in the manner directed for locating the warrants to be granted to the Army; excepting only, that he shall not retain the conveyance given by the Board of Treasury in the manner Land warrants are to be retained.

Changes Mar 24. This ptd. copy is the same as Clark's report. Slight corrections are made in mss. Broadside 2nd reading